

draws to a close, there may be separate attempts to attach to unrelated legislation Superfund liability carveouts that shift cleanup costs to parties who remain liable at Superfund sites. We are writing to express our continued strong opposition to both of these proposals.

No Superfund Taxes Without Meaningful Superfund Reform.

Reinstatement of the expired Superfund taxes prior to enactment of meaningful Superfund reform would effectively prevent legislative reform of the Superfund program. That's because under the "pay-go" rules of the Federal budget laws, any Superfund reauthorization bill that includes mandatory spending provisions must also include provisions to reinstate the expired Superfund taxes or provide equivalent offsetting revenues "within the four corners of the bill" to keep it deficit neutral. Thus, if the Superfund taxes were to be enacted prior to consideration of a Superfund reform bill, Superfund reform could not be enacted without finding a new source of revenue, essentially an impossible task.

The taxes should not be prematurely reinstated, especially now that legislative reform of the Superfund program is within our reach. On August 5th the House Transportation and Infrastructure Committee voted 69-2 to report H.R. 1300, the Recycle America's Land Act, introduced by Subcommittee Chairman Sherry Boehlert. That bill now has some 138 cosponsors, divided nearly equally between Democrats and Republicans. The House Commerce Committee is expected to mark up a similar bill, Mr. Greenwood's H.R. 2580, in the next few days.

In the meantime, the Superfund program does not need reinstatement of the taxes to continue operating at full speed. The current surplus in the Superfund Trust Fund, combined with continued appropriations at the most recent level, mean the program will be fully funded through at least FY 2002. In fact, even with enactment of legislative reform, reinstatement of the taxes at the full levels that existed prior to their expiration in 1995 is not necessary. As the Boehlert bill, H.R. 1300, recognizes, any new funding for Superfund should be carefully tailored to reflect the declining needs of the cleanup program, which EPA has acknowledged is winding down.

No Cost-shifting for Liability Exemptions.

We are also concerned that there may be attempts this year (just as there were last year) to provide liability relief for certain parties by inserting amendments into appropriations bills or other legislation. While we do not oppose properly-crafted liability exemptions for small business, municipalities, recyclers, or others, we do oppose exemptions that shift their shares of cleanup costs to the remaining Superfund parties. Under the Boehlert bill, H.R. 1300, these costs would be part of the orphan share paid by the Trust Fund. This is the original purpose for which Congress created the Trust Fund.

There is certainly no justification for shifting these orphan shares to the other parties. In fact, in recent years even EPA has consigned much more of these orphan shares to the Trust Fund. Shifting costs to other parties is not only unfair, it is one of the main causes of litigation and the attendant cleanup delay at Superfund sites.

In sum, we urge you to oppose reinstatement of the expired Superfund taxes without enactment of meaningful Superfund reform. We also urge you to oppose Superfund liability exemptions which shift cleanup costs to other liable parties.

If we can provide assistance or further information on these or other related matters, please do not hesitate to call on us.

Sincerely,

ROBERT E. VAGLEY,
President.

U.S. CHAMBER OF COMMERCE,
AMERICAN PETROLEUM INSTITUTE,
October 8, 1999.

Hon. J. DENNIS HASTERT,
Speaker of the House, U.S. House of Representatives, Washington, DC.

Hon. RICHARD A. GEPHARDT,
House Minority Leader, U.S. House of Representatives, Washington, DC.

Hon. TRENT LOTT,
Senate Majority Leader, U.S. Senate, Washington, DC.

Hon. THOMAS A. DASCHLE,
Senate Minority Leader, U.S. Senate, Washington, DC.

DEAR MR. SPEAKER, SENATOR LOTT, MR. GEPHARDT, AND SENATOR DASCHLE: We are writing to express our concern about possible efforts to reinstate the expired Superfund taxes. Proposals to reinstate the taxes solely as a means of raising revenue without enacting comprehensive reform of the Superfund program are very disturbing to us. Raising taxes on industry runs directly counter to congressional efforts to reduce taxes. Furthermore, the Superfund taxes do not need to be reinstated to keep the program going. Under the most recent appropriations and funding mechanisms, the trust fund will remain solvent for many years as the program begins to wind down. Even by EPA's own admission the Superfund program is drawing to a close.

The Superfund program was created to address a broad problem—paying for the clean-up of "orphan" waste disposal sites (those that were either abandoned or whose owners were bankrupt). A wide range of individuals, businesses and government entities have contributed to Superfund sites, therefore general revenues should pay for the program's administrative costs and the clean-up of sites where the responsible parties cannot be found.

In 1995, the Superfund taxes expired. EPA officials claim that using general revenues rather than industry-specific taxes to pay for Superfund would "constitute paying for polluters' clean-ups on the 'backs' of the American taxpayers." That is simply not true. Private sector responsible parties (the so-called "polluters") have always paid the majority of cleanup costs associated with the program. In addition, all responsible parties continue to pay their share of Superfund clean-up costs, even though the dedicated taxes have expired. Under CERCLA's strict joint and several liability standard, persons identified as contributing wastes to a Superfund site are paying their share (in addition to the shares of other contributors) of the clean-up costs.

Even without industry tax revenues, Superfund will have sufficient funding from general revenues, fines, penalties, and profits on investments to support the program into Fiscal Year 2002. For fiscal year 2000, the Appropriations Committees have chosen to fund between \$700 and \$725 million of the Superfund program from general revenues. In fact, Congress can fund the entire program from general revenues, according to the General Accounting Office and the Congressional Budget Office.

Simply stated the Superfund taxes should not be reinstated—instead, general revenues should continue to be used to pay for the program. Reinstating industry-specific taxes is not consistent with Congress' intent for the program, that is, whenever possible, polluters should pay for the costs of cleaning up the sites they helped contaminate. The debate over Superfund should not be about reinstating the taxes. It should be about winding down the program as it completes its original mission and devolving the day-to-day operation of the program to the states.

Sincerely,

RED CAVANEY,

American Petroleum
Institute.

THOMAS J. DONAHUE,
Chamber of Commerce
of the U.S.

Mr. ENZI. Mr. President, now is not the time to consider tax increases to pay for government spending, especially at the same time we are experiencing a non-Social Security surplus, projected to grow as high as \$1 trillion over 10 years, and at a time when American citizens are paying taxes at the highest peacetime rate in history.

Mr. President, I yield the floor.

SAFEGUARDING OUR SECURITY

Mr. TORRICELLI. Mr. President, there are few matters of more importance to the nation than the safeguarding of our security. Every day, tens of thousands of men and women wear the American uniform proudly in all the world's time zones while guarding against threats to American citizens and our interests. Perhaps there is no more perilous environment in which our servicemen and women operate than beneath the oceans. Because of the secrecy demanded by the myriad missions, Navy submariners have come to be known as the silent service. Often reluctant to speak on their own behalf, I commend to my colleagues attention the following article which is of great importance, not only to our nation's undersea warriors, but to the nation's security.

The commentary in Defense News touches upon an important opportunity. It is the chance to secure more useful life from four Ohio-class submarines slated for retirement. The article suggests the possibility of converting them from their strategic nuclear duties into tactical Tomahawk shooters able to provide our overseas warfighting commanders additional striking capability.

I ask unanimous consent this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Defense News, Mar. 29, 1999]

CONVERTED SUBMARINES COULD BOLSTER U.S.
POWER PROJECTION
(By Ernest Blazar)

Power projection can be a difficult concept to understand in the abstract. It is a nation's ability to make its military might felt beyond its borders—as diplomacy's coercive underpinning, deterrence or in actual combat.

American power projection has taken many forms in years past; the man-o-war, expeditionary Marines, the dreadnaughts of the Great White Fleet, the aircraft carrier, the Army's 82nd Airborne division and the Air Force's expeditionary wings. Different crises have demanded different kinds of U.S. power projection at different times.

In recent years, however, U.S. power projection at the lethal end of the spectrum combat has increasingly relied upon a single tool. Since its 1991 Persian Gulf war debut, the Tomahawk cruise missile has become the weapon of choice when crises demand swift and accurate U.S. military response.

They have cleared safe lanes for U.S. warplanes through enemy air defenses. Tomahawks have hit terrorists. And they have destroyed sites thought to hold mass destruction weapons. Over 700 have been used in six different strikes since 1991.

As Tomahawks' use grows so do the strains upon their launch platforms in the shrinking 300-ship fleet. So some in the Navy and Congress are seeking new ways to quickly boost the number of Tomahawk missiles—the power projection tool of choice—available to overseas U.S. commanders.

Attention has now fallen upon four Ohio-class submarines to be retired in 2003 and 2004. A now overdue Navy study to Congress reveals how these Cold War-era submarines, that once aimed nuclear-tipped missiles at the Soviet Union, can easily be converted to carry hundreds of Tomahawk missiles.

Doing so would give the U.S. Central Command in the Persian Gulf, for example, one such submarine year-round, thereby almost doubling the in-theater inventory of Tomahawks. That would take the pressure off other Navy ships needed elsewhere, increase deterrence and strengthen U.S. combat power should strikes be necessary.

The Navy's imminent report has found that the four Ohio-class subs could be fitted with Tomahawks and Navy Sea, Air and Land (SEAL) commando gear for \$500 million each. According to New Jersey Senator Robert G. Torricelli, "It's an inexpensive way of adding a new dimension to U.S. warfighting capabilities."

All but two of the 24 strategic missiles tubes aboard the Ohio-class boats could be refitted to accept a canister holding six or seven Tomahawk missiles each, yielding a maximum of 154 cruise missiles. If some SEALs are aboard, along with their special gear, only 98-140 Tomahawks could be loaded—still more than any other Navy ship carries.

The full warload—all 154 Tomahawks—can be "ripple-fired" from the submerged submarine in less than six minutes. That is key because it allows the submarine to quickly, quietly and safely remove itself from the launch site after firing all its missiles.

A submarine-launched strike of that size offers two main advantages. First, by virtue of its stealth, a submarine can launch a surprise attack from within an enemy's early-warning perimeter. With no advance warning, large numbers of enemy targets can be hit before they are hidden, dispersed or emptied. There is no build-up of U.S. forces to warn an enemy of a pending attack. Second, submarines are less vulnerable to attack and counter-attack than are surface ships. If embarked SEALs are the best weapon for a mission, the converted Ohio-class boats can house 102 such men for short durations and 66 SEALs nearly indefinitely. This allows for a sustained special operations campaign, rather than solitary strikes, from a stealthy, invulnerable platform.

SEALs can also use the submarine's silos that once held nuclear-tipped strategic missiles to store their unique gear. There is ample room for a hyperbaric chamber to recompress divers if needed and a warming chamber which helps SEALs recover from prolonged exposure to cold water. The converted Ohio-class boats could also serve as 'mother-ships' to special underwater SEAL delivery craft like the Advanced Swimmer Delivery Vehicle minisub.

INNOCUOUS

Even though the four converted Ohio-class boats would no longer carry nuclear-tipped missiles, strategic arms control treaty limits would still apply to these boats. This means the ships' missile tubes, now filled with tactical missiles and Navy SEALs,

would still be counted against ceilings that cap the number of U.S. and Russian strategic weapons. The Navy's study to Congress has found that, while complex, this issue can be accommodated as has been done before for other strategic missile submarines converted to special, tactical duties.

The nation has a rare opportunity to swiftly and cheaply boost its ability to project power. The conversion of these four Ohio-class boats will complement, not compete with, other Navy ships and Air Force expeditionary warplanes deployed to overseas hot-spots. This chance to get new, useful life out of old Cold War-era systems on the cheap is the innovative and right thing to do for the Navy and the nation.

IN HONOR OF SENATOR JOHN H. CHAFEE

Mr. LIEBERMAN. Mr. President, I rise today to speak in memory and tribute to Senator John H. Chafee, who was for me not just a colleague and friend, but a mentor on the Environment and Public Works Committee for the eleven years I have been in the Senate. Nearly every single environmental statute bears the strong stamp of his commitment and leadership; Superfund, the Clean Water Act, the Safe Drinking Water Act, barrier beach legislation, transportation laws, the Oil Pollution Protection Act. The list goes on and on.

When John Chafee first announced that he was not going to run for reelection, a lot of us who care about the environment realized what a great loss John Chafee's retirement would be. Now his sudden death reminds us all too quickly that he was an irreplaceable friend of the environment. He was a very sturdy, forthright, faithful leader at a time when the number of legislators in his great party who consider themselves environmental stewards grew smaller. This trend has been contrary to the proud environmental tradition of the Republican party that goes back to the days of Teddy Roosevelt and contrary to what I find to be the opinion of Republicans in Connecticut who are quite enthusiastically supportive of environmental protection. Senator Chafee held high the banner of that tradition.

He always considered himself a centrist and I know that what he meant by that was not that he was neutral, but that he was committed to bringing different groups and factions within Congress and outside together to get things done. One of my first and best experiences as a Senator was in 1990 when we were considering the Clean Air Act Amendments. Senator George Mitchell, then Majority Leader, pulled a group of us together with representatives of the Bush Administration in his conference room. John Chafee was there day after day, and night after night, throughout long, tedious negotiations. But in the end, he helped put the pieces together for us to adopt a bill signed by President Bush that has clearly made our nation's air healthier and cleaner.

He was also a leader in the effort to protect against global climate change,

urging the President to adopt an international framework to address the issue as early as 1988, and supporting the efforts to achieve the signing and ratification of the United Nations Framework Convention on Climate Change. We went to Kyoto, Japan for the critical meetings there to forge further agreements to fulfill the objectives of the Framework Convention agreement. In that difficult setting John sent a message to the countries of the world which were being quite critical of the United States' position, that there was bipartisan support in Congress for taking action to address global warming. He and I then worked together with Senator MACK to sponsor what we thought was a modest proposal in this Congress to begin to give companies that reduce greenhouse gas emissions the promise of credit if and when we adopt a mandatory system for controlling that kind of air pollution. I remember laughing with John that we must be on the right path because our proposal was opposed by both sides of the debate.

John Chafee was the quintessential New Englander; he was a straightforward, very honest, very civil man. He also was a great outdoorsman. I think that some of the work he was proudest of involved his efforts to protect natural resources. He played a critical role in expanding our National Wildlife Refuge System and worked hard to conserve wetlands. He instituted several reforms to tax policy to encourage the preservation of open space. He was a great advocate right up to his death for full and permanent funding for the Land and Water Conservation Fund, which is so important to preserving open spaces in our states.

John Chafee was a good man and a superb chairman. Always respectful to those who came before our Committee, he wanted to get things done. When it came to the environment, he really did get things done. I'll miss him. We'll all miss him. The Lord's good earth will miss him, because he was indeed a good friend. My wife Hadassah joins me in extending condolences to Ginny Chafee and the entire family. We all do truly share in their loss.

TRADE AND DEVELOPMENT ACT OF 1999

Mr. LIEBERMAN. Mr. President, I rise today to make additional remarks on a provision contained in the Manager's Amendment to the Trade and Development Act of 1999 adopted last week by voice vote. The manager's included a Sense of the Senate on Tariff Inversions that has raised some concerns with several of my colleagues. I would like to engage them in a discussion of the issue on the floor of the United States Senate.

There is a company in my state, The Warren Corporation, that specializes in the manufacture of high quality woolen and worsted apparel fabric. This company has been producing luxurious